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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,441	04/22/2004	David M. Gainford	84741 3135 Gnn	6322
20736	7590	06/20/2006	EXAMINER	
MANELLI DENISON & SELTER 2000 M STREET NW SUITE 700 WASHINGTON, DC 20036-3307			CASAREGOLA, LOUIS J	
			ART UNIT	PAPER NUMBER
			3746	
DATE MAILED: 06/20/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

E

Office Action Summary	Application No.		Applicant(s)	
	10/829,441		GAINFORD, DAVID M.	
	Examiner		Art Unit	
	Louis J. Casaregola		3746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 21-29, 43-44 is/are rejected.
- 7) ☒ Claim(s) 8-20, 30-42 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Objections To Claims

Claims 19, 20, 41 and 42 are objected to under 37 CFR 1.75(a) for the following reason:

Each of these claims makes reference to “the modified combustion gas feedback signal”; see lines 3-4 of claim 19 and corresponding sections of the other claims. The cited expression lacks proper antecedent basis.

Claim Rejections - 35 USC 112

Claim 7 is rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites “a plurality of sensors, each sensing at least one of a respective parameter of the fluid, and where the system is used in an engine, each sensing a respective parameter of the engine”. This language is vague and indefinite. Is applicant stating that each sensor senses at least one pumped fluid parameter and at least one engine parameter – if so, how does the claim read on the preferred embodiment of the invention, which does not appear to include any double-duty type sensors?

Claim Rejections - 35 USC 102

Claims 1-7, 21-29, 43 and 44 are rejected under 35 USC 102(b) as being anticipated by Meyer et al.

Meyer discloses a gas turbine fuel system that comprises a pump and pump control system including all features recited in the present claims. Attention is called to the pump control system in Meyer's Figures 1 and 3; note that signal VR is a demand signal for a required pump speed (col. 6, lines 11-13), and elements 72, 74, etc. constitute compensation means for modifying the demand signal to render it suitable for controlling pump drive motor 28. Note also that Meyer's system senses several parameters relating to the pump and/or pumped fluid including actual pump speed VA and fuel temperature VFT, with the sensed parameters then being conducted as feedback signals to a comparator (element 70) as specified in claims 2, 3, 5, etc. It is also pointed out that in addition to pump and fluid parameters, Meyer's system further senses various engine parameters (inputs to element 12), and the system thus meets the requirements of claims 7 and 29.

Allowable Subject Matter

Claims 8-20 and 30-42 contain allowable subject matter but are objected to as depending from rejected parent claims. If rewritten in independent form, these claims

will be allowed, with allowance of claims 19-20 and 41-42 being further contingent upon overcoming the § 175(a) objection above.

Additional References

Burnell, White, and Weber are cited as disclosing further pertinent examples of prior art pump control systems.



L. J. Casaregola
571-272-4826 (M-F; 7:30-4:00)
571-273-8300 FAX
June 12, 2006

If repeated attempts to reach the examiner by telephone are unsuccessful, the art unit supervisor, Timothy Thorpe, can be reached at 571-272-4444.

Information regarding the status of this application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR, and status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).